

**20A-4-304 Declaration of results -- Canvassers' report.**

- (1) Each board of canvassers shall:
  - (a) declare "elected" or "nominated" those persons who:
    - (i) had the highest number of votes; and
    - (ii) sought election or nomination to an office completely within the board's jurisdiction;
  - (b) declare:
    - (i) "approved" those ballot propositions that:
      - (A) had more "yes" votes than "no" votes; and
      - (B) were submitted only to the voters within the board's jurisdiction;
    - (ii) "rejected" those ballot propositions that:
      - (A) had more "no" votes than "yes" votes or an equal number of "no" votes and "yes" votes; and
      - (B) were submitted only to the voters within the board's jurisdiction;
  - (c) certify the vote totals for persons and for and against ballot propositions that were submitted to voters within and beyond the board's jurisdiction and transmit those vote totals to the lieutenant governor; and
  - (d) if applicable, certify the results of each local district election to the local district clerk.
- (2)
  - (a) As soon as the result is declared, the election officer shall prepare a report of the result, which shall contain:
    - (i) the total number of votes cast in the board's jurisdiction;
    - (ii) the names of each candidate whose name appeared on the ballot;
    - (iii) the title of each ballot proposition that appeared on the ballot;
    - (iv) each office that appeared on the ballot;
    - (v) from each voting precinct:
      - (A) the number of votes for each candidate; and
      - (B) the number of votes for and against each ballot proposition;
    - (vi) the total number of votes given in the board's jurisdiction to each candidate, and for and against each ballot proposition;
    - (vii) the number of ballots that were rejected; and
    - (viii) a statement certifying that the information contained in the report is accurate.
  - (b) The election officer and the board of canvassers shall:
    - (i) review the report to ensure that it is correct; and
    - (ii) sign the report.
  - (c) The election officer shall:
    - (i) record or file the certified report in a book kept for that purpose;
    - (ii) prepare and transmit a certificate of nomination or election under the officer's seal to each nominated or elected candidate;
    - (iii) publish a copy of the certified report:
      - (A) in one or more conspicuous places within the jurisdiction;
      - (B) in a conspicuous place on the county's website; and
      - (C) in a newspaper with general circulation in the board's jurisdiction; and
    - (iv) file a copy of the certified report with the lieutenant governor.
- (3) When there has been a regular general or a statewide special election for statewide officers, for officers that appear on the ballot in more than one county, or for a statewide or two or more county ballot proposition, each board of canvassers shall:
  - (a) prepare a separate report detailing the number of votes for each candidate and the number of votes for and against each ballot proposition; and

- (b) transmit it by registered mail to the lieutenant governor.
- (4) In each county election, municipal election, school election, local district election, and local special election, the election officer shall transmit the reports to the lieutenant governor within 14 days after the date of the election.
- (5) In regular primary elections and in the Western States Presidential Primary, the board shall transmit to the lieutenant governor:
  - (a) the county totals for multi-county races, to be telephoned or faxed to the lieutenant governor:
    - (i) not later than the second Tuesday after the primary election for the regular primary election;  
and
    - (ii) not later than the Tuesday following the election for the Western States Presidential Primary;  
and
  - (b) a complete tabulation showing voting totals for all primary races, precinct by precinct, to be mailed to the lieutenant governor on or before the third Friday following the primary election.

Amended by Chapter 309, 2012 General Session